

1 IN THE UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF ILLINOIS
3 EAST ST. LOUIS DIVISION
4

5 GREGG L. DUCKWORTH,

6 Plaintiff,

7 VS.

No. 02-381-JLF

8 DAVID J. MADIGAN, Sheriff, DR.
9 MAHER AHMAD, DR. FRANCIS F.
10 KAYIRA, et al.,

11 Defendants.
12
13

14 DISCOVERY DEPOSITION
15
16

17 The discovery deposition of GREGG L.
18 DUCKWORTH taken on behalf of Defendant Ahmad at
19 the Centralia Correctional Center, 9330 Shattuc
Road, Centralia, Illinois, on April 25, 2006,
before Barbara A. Glover, CRR, RPR, and Certified
Shorthand Reporter of the State of Illinois.

20 CSR #84-1223
21

22 GLOVER COURT REPORTING

23 5 Elm Ridge

24 Mattoon, Illinois 61938

(217)235-2272 or (800)235-3350

EXHIBIT

tabbies

1

1 conclusion.

2 Go ahead.

3 THE WITNESS: No.

4 BY MR. HAGLE:

5 Q. You don't know that?

6 A. That was none of my concern at the
7 time.

8 Q. Did you know one way or the other who
9 Dr. Ahmad worked for, whether he worked for the
10 county?

11 A. I knew he was my doctor. He was the
12 doctor they sent me to is all I know.

13 Q. Okay. And so in terms of whether he
14 worked for the county or whether he worked for an
15 outside agency who contracted with the county,
16 you just don't know one way or the other?

17 A. I have no idea. I had no idea at the
18 time.

19 Q. You never heard of any company called
20 Wexford that provided doctors to the jail?

21 A. Not at the time, no.

22 Q. So you don't know if Dr. Ahmad worked
23 for Wexford or not? You just don't know one way
24 or the other. Correct?

1 with visible blood in it.

2 Q. Now, I want to go through 1999. If
3 you could focus your attention on that year until
4 the end of the year.

5 Do you remember ever seeing Dr. Ahmad
6 again? The foreign doctor you talked about that
7 you saw before you went to Christie, do you ever
8 remember seeing him again during the year 1999?

9 A. I seen him several times.

10 Q. Did you -- I think you told me --
11 strike that.

12 You told me that after your first
13 visit you made some requests of the jail
14 personnel for follow-up medical care. Correct?
15 Is that a yes?

16 A. Yeah.

17 Q. Now, those requests you knew how to
18 make them. Correct?

19 A. Yeah, they had request slips at the
20 jail.

21 Q. And you used those each time you
22 wanted to request to see a doctor. Correct?

23 A. Yeah.

24 Q. In other words, you filled them out

1 BY MR. HAGLE:

2 Q. Isn't that correct?

3 A. I told him several times that I was
4 still having blood in my urine, yeah.

5 Q. That's not my question. My question
6 is in terms of wanting to get medical care to see
7 a doctor, you never made that specific request
8 directly to Dr. Ahmad. Correct?

9 A. I can't recall. I sent a request to
10 him. That's the only way we had.

11 Q. Well, you made a request through the
12 Champaign County officers through the slips to
13 see a doctor.

14 A. That's the only way we had.

15 Q. So I'm correct? That's how you did
16 it?

17 A. That's how I did it, yeah.

18 Q. Okay. Now, you said you saw Dr. Ahmad
19 several times after the first time before you
20 left county. Correct?

21 A. Uh-huh.

22 Q. Is that a yes?

23 A. Yeah.

24 Q. You left Champaign County, if I'm

1 MR. MCCURDY: Object to the form to
2 the extent it calls for --

3 BY MR. HAGLE:

4 Q. Is that your understanding as a
5 layperson?

6 A. I'm not a doctor.

7 Q. I'm not asking if you're a doctor.
8 I'm asking you what you believe, that Dr. Ahmad
9 should have ordered this additional test for you
10 called a cystoscopy?

11 A. I don't feel that I should have passed
12 blood for nine months and nothing done about it.

13 Q. Okay. But I take it you're upset with
14 Dr. Ahmad's -- the way he treated your condition.
15 Correct?

16 A. Yes, sir.

17 Q. Have you been told by any medical
18 professional what Dr. Ahmad should have done to
19 treat you appropriately?

20 A. I don't know what you're getting at
21 there.

22 Q. I'm asking you if somebody has told
23 you what Dr. Ahmad should have done to treat you
24 appropriately?

1 A. I've been told that I should have had
2 a cystoscope and should have went up there and
3 seen what was making me pass the blood.

4 Q. Okay. When you saw Dr. Ahmad after
5 that first time when he sent you -- he sent you
6 to Christie -- remember you said you went to
7 Christie?

8 A. I don't know if it was the first time
9 or not, but I remember him sending me to
10 Christie.

11 Q. Did you ever ask Dr. Ahmad yourself
12 again, did you ever ask him if you could go back
13 to the doctor at Christie?

14 A. I can't recollect.

15 Q. Okay. When you went to the room --
16 was there a medical examining room you saw
17 Dr. Ahmad when you see him?

18 A. Yeah.

19 Q. When you were there did he ever --
20 when you would come in to see him, did he ever
21 say, "I don't want to talk to you. I don't want
22 to examine you. I don't want to look at you as a
23 doctor."

24 Did he ever do any of those things?

1 A. I can't remember. Could be.

2 Q. Whenever you went in to see Dr. Ahmad
3 there was some interaction between you as a
4 patient and a doctor, I take it?

5 A. I tried to tell him what the problem
6 was, yes, sir.

7 Q. Right. And then he did whatever,
8 because you can't remember specifically.
9 Correct?

10 A. Or didn't do nothing.

11 Q. You don't really remember, because
12 you've already told me?

13 A. I remember him taking all kinds of
14 blood samples, and I remember several blood
15 samples. I even urinated in a cup and give it to
16 the officer one time.

17 Q. Okay. Is there anything else you can
18 remember about any visits with Dr. Ahmad other
19 than what you've already told me throughout this
20 deposition, or have you told me everything you
21 can remember?

22 A. Like I said, I mean to me it seemed
23 like --

24 MR. MCCURDY: Just if there's anything

1 A. Well, no, he was -- they was getting
2 two dollars every time they seen me.

3 Q. And, likewise, Dr. Ahmad at Champaign
4 County correctional facility never refused to see
5 you when you went as a patient to see him.
6 Correct?

7 A. I put several slips in and would never
8 hear nothing.

9 Q. No, I understand you may have made the
10 request of the officer. My question is Dr. Ahmad
11 when you went in to see him he never said, "I
12 don't want to see you. I'm going to refuse you
13 treatment." Correct?

14 A. He did say that at the last, yes, he
15 did. After he got me that IVP and Sheriff
16 Madigan had -- I had wrote Madigan, he said, "if
17 this comes back clear, I don't want to hear no
18 more out of you."

19 That's exactly what he told me.

20 Q. Okay. But you don't remember ever
21 being in -- being examined -- to go in to see him
22 and you were actually in there to see him, and he
23 is saying I don't want to see you that particular
24 day when you were in there? He never refused you

1 but you're saying what he didn't do right, he
2 didn't figure out the diagnosis or send you to
3 somebody because you had cancer. Correct?

4 MR. MCCURDY: Object to form of the
5 question to the extent it calls for a legal
6 conclusion. Go ahead.

7 THE WITNESS: Now you want me to
8 answer it?

9 MR. MCCURDY: Yeah. Go ahead.

10 BY MR. HAGLE:

11 Q. Just answer my question.

12 A. My answer to your question he didn't
13 do what he should have.

14 Q. Right. Because he should have figured
15 out you had bladder cancer or sent you to someone
16 to figure it out?

17 A. He should have followed up what he was
18 told to follow up.

19 Q. Meaning he should have sent you for
20 further testing to get -- to determine if you had
21 cancer?

22 A. When the blood come back in my urine a
23 week after I got back or two days after I got
24 back, I was supposed to go back to the doctor at

1 Christie Clinic. I sent several requests in that
2 I was bleeding again and several samples --

3 Q. But you didn't send those directly?

4 MR. MCCURDY: He hasn't finished his
5 answer. Go ahead.

6 THE WITNESS: I sent several requests.
7 I was passing blood again, and I sent them
8 directly to the doctor.

9 BY MR. HAGLE:

10 Q. You sent them to Dr. Ahmad on your
11 request form?

12 A. You write Dr. Ahmad on it, and they go
13 right from there to him.

14 Q. All right. Now we're going to take a
15 moment. That's not true, though, sir, and we're
16 going to look right at them. We're going to mark
17 them. I would like to mark these as exhibits.

18 (At this point the court reporter
19 marked Duckworth Exhibit Nos. 1-4 for
20 purposes of identification.)

21 BY MR. HAGLE:

22 Q. You would fill out something called a
23 resident's request form is what you're talking
24 about when you would want to see the doctor.